

HOUSE No.

Message from His Excellency the Governor recommending legislation relative to providing for the preservation and improvement of land, parks, and clean energy in the Commonwealth. Environment, Natural Resources and Agriculture. March 15, 2013.

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON, MA 02133

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DEVAL L. PATRICK

GOVERNOR

TIMOTHY P. MURRAY

LIEUTENANT GOVERNOR

March 15, 2013.

To the Honorable Senate and House of Representatives:

I am filing for your consideration a bill entitled “An Act Providing for the Preservation and Improvement of Land, Parks, and Clean Energy in the Commonwealth”.

Last October, my administration published our sixth capital investment plan, which presented a responsible capital investment strategy for fiscal year 2013 through fiscal year 2017. In order to provide for continued investment in our Commonwealth’s infrastructure and innovation economy, I am filing a series of bond bills, in addition to this bill, to support this plan’s future funding needs through fiscal year 2017.

The citizens of the Commonwealth have asked for and deserve public infrastructure which will meet their needs, create jobs and stimulate economic growth in every corner of our state. Targeted investment in our infrastructure solidifies the foundation of our Commonwealth for future generations.

It is our responsibility to provide for the safety and welfare of our residents by strengthening our environmental infrastructure. We must work to ensure our dams, flood control infrastructure, air quality and water quality are sustainable for ourselves and future generations. We have a responsibility to preserve our valuable open spaces, farms and natural habitats, to provide well-maintained and accessible parks and recreational facilities, and to reduce greenhouse gases through investment in clean energy and energy efficiency initiatives.

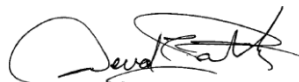
This bill includes funding for improvements to our environmental infrastructure included in my Administration's five-year capital investment plan, including:

- \$312 million for the Accelerated Energy Program, including \$250 million for the self-funded Clean Energy Investment Program,
- \$120 million for coastal infrastructure,
- \$57 million for the Water Pollution Abatement Trust,
- \$85 million for seaports including funding for the New Bedford Commerce Terminal and Seaport Council grants,
- \$121 million for Department of Conservation and Recreation for parkways, trails, recreation facilities, waterways and flood control,
- \$4 million for agricultural programs,
- \$30 million for energy efficiency projects including a program to improve non-building energy efficiency, and
- \$44.5 million for the Department of Fish and Game to protect our natural habitats and wildlife and to construct and rebuild coastal and inland waterway access sites,
- \$14 million to Department of Environmental Protection, and
- \$124 million for land and park programs.

These investments will be made within my Administration's debt affordability policy, which has allowed an unprecedented level of capital investment in the Commonwealth while maintaining the highest bond rating in the state's history.

In light of the urgent need to continue funding these improvements, I urge prompt action to enact this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", with a stylized flourish at the end.

DEVAL L. PATRICK,
Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act providing for the preservation and improvement of land, parks, and clean energy in the Commonwealth.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to provide for preservation and improvement of the environmental assets of the commonwealth, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. To provide for a program of improvement and preservation of the energy and
2 environmental assets of the commonwealth, the sums set forth in this act, for the several
3 purposes and subject to the conditions specified in this act, are hereby made available, subject to
4 the provisions of law regulating the disbursement of public funds, which sums shall be in
5 addition to any other amounts previously appropriated for these purposes; provided, that the
6 amounts specified in an item or for a particular project may be adjusted in order to facilitate
7 projects authorized in this act .

8 SECTION 2.

9 EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

10 *Office of the Secretary*

2000-7053 For improvements and replacements to the infrastructure and holdings of the executive office of energy and environmental affairs; provided, that these improvements or replacements may include, but shall not be limited to, buildings, equipment, vehicles and communication and technology equipment; and provided further, that any expenditures for communication and technology equipment under this item shall be subject to the approval of the chief information officer of the commonwealth..... \$10,000,000

Department of Environmental Protection

2200-7021 For investment in water and air quality protection as required to meet the legislative and regulatory requirements of the Rivers Protection Act, the federal and state Clean Water Acts and the Massachusetts Wetlands Protection Act and to provide for integrated energy and environmental projects to optimize and preserve environmental quality and public health and provide for appropriate protection, restoration, management, and best use of air, energy, water and land resources, assets and infrastructure; provided, that this funding, may include, but not be limited to, research and the collection of data to support investment in environmental assets, such as research and studies to include but not be limited to studies of water quality, the development of wetlands conservancy and tidelands Geographic Information System (GIS) maps, the implementation of water quality monitoring initiatives, the collection and analysis of water quality samples, and the development of water quality analyses known as Total Maximum Daily Loads (TMDL's); projects related to non-point and point sources of water pollution; and wetlands circuit rider program; provided further, that funds may be expended for local grants and research for implementation of the commonwealth's Sustainable Water Management Initiative, such grants and research to provide the data necessary for municipalities to invest in efficient and

34 effective mitigation practice to restore and preserve the commonwealth’s water resources, assets
35 and infrastructure; provided further, that funds authorized in this item may be used for the
36 purposes of the department’s statewide air monitoring network which may include, but not be
37 limited to, photochemical assessment monitoring stations, small particulate monitoring and air
38 toxins monitoring; and provided further, that funds authorized in this line may include the
39 upgrade of equipment to comply with federal requirements
40 \$10,000,000

41 *Department of Fish and Game*

42 2300-7021 For enhancements, improvements, removal and replacements to the infrastructure
43 and holdings of the department of fish and game and its divisions; and for the costs of studies,
44 plans, engineering and other services essential to this activity; and for the planning, design,
45 construction, and repair of existing and new facilities under the care and control of the
46 department of fish and game and its divisions, including but not limited to education centers,
47 district headquarters, hatcheries, office buildings, storage buildings, shooting ranges, dams and
48 laboratories; provided, that these enhancements, improvements and replacements may include,
49 but shall not be limited to, buildings and other structures, equipment, vehicles, vessels,
50 information systems, and site clearance, including the demolition of structures, and other
51 holdings including remediation of environmental compliance matters throughout the
52 commonwealth..... \$4,500,000

53 *Department of Conservation and Recreation*

54 2800-7032 For natural resource restoration and protection and to ensure compliance with storm
55 water management and the federal Clean Water Act, including enhanced environmental

56 compliance with laws and regulations, and improvements, and costs associated with site
57 assessment, containment, clean-up, control, removal of, or response actions concerning
58 hazardous materials or substances at forests, parks, reservations and other properties of the
59 department of conservation and recreation
60\$24,000,000

61 2800-7107 For the design, construction, reconstruction, improvement or rehabilitation of
62 department or navigable coastal and inland waterways projects, including but not limited to
63 coastal protection, structures, dredging, rivers and stream cleaning, coastal structure
64 maintenance, piers, dune stabilization, culvert repair, re-nourishment, erosion control and
65 waterfront access and transportation improvements and related facilities and
66 equipment..... \$18,000,000

67 2840-7027 For the design, construction, reconstruction, repair, improvement or rehabilitation of
68 flood control facilities and water resource protection related facilities of the department,
69 including its various pump stations and structures.....\$2,000,000

70 *Division of Energy Resources*

71 9300-7030 For the Leading by Example Program, to reduce greenhouse gas emissions and other
72 environmental impacts at state agencies, authorities, and public colleges and universities; to
73 stimulate increased public and private sector investment in clean energy and related enterprises,
74 institutions, and projects in the commonwealth, including providing economic assistance for the
75 development of these enterprises and non-financial
76 assistance.....\$5,000,000

9300-7919 For the energy conservation improvement program under section 11 of chapter 25A of the General Laws; provided, that funds in this item shall be allocated from time to time by the commissioner of energy resources for the purposes of the energy audit program, the energy conservation improvement program, and the alternative energy property program, and for other programs that increase energy efficiency and the deployment of renewable resources at public facilities; provided further, that when expending these funds, the commissioner shall take into consideration, among other relevant factors, the amount of available state and federal financial resources, the needs of each program with respect to public buildings and facilities, the volume of requests or expected requests from other entities for assistance under each program, the expected costs and public benefits of each program and, after information has become available from the energy audit program, the priorities and needs indicated by that information; provided further, that funds shall be expended on the buildings and facilities owned by public entities; and provided further, that grants may be issued for the purposes of this item..... \$10,000,000

SECTION 2A.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

0620-1001 For the water pollution abatement trust established in section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in section 2L of chapter 29 of the General Laws for application by the trust to the purposes specified in section 5 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under Title VI of the federal

99 Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section
100 2QQ of chapter 29 of the General Laws for application by the trust to the purposes specified in
101 section 18 of said chapter 29C, any portion of which may be used as a matching grant by the
102 commonwealth to federal capitalization grants received under the federal Safe Drinking Water
103 Act; provided, that funds may be used to assist homeowners in complying with the revised state
104 environmental code for subsurface disposal of sanitary waste, Title 5

105\$57,000,000

106 1100-2510 For improvements to coastal facilities in designated and non-designated port areas,
107 including those defined in chapter 21F of the General Laws, 301 CMR 25, section 63 of chapter
108 91 of the General Laws and 312 CMR 2.00; provided, that improvements may include, but shall
109 not be limited to, construction, reconstruction, rehabilitation, expanding, replacing, and
110 improving public facilities, piers, wharves, boardwalks, berths, bulkheads, and other harbor and
111 waterfront facilities.....\$85,000,000

112 EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

113 *Office of the Secretary*

114 2000-7054 For the parkland acquisition and renovation for communities (PARC) grant
115 program, formerly the urban self-help program, to provide assistance to cities and towns in the
116 acquisition of land, assessment and remediation of brownfield and greyfield sites and demolition
117 on project sites and construction and restoration of parks and recreation areas under Article 97 of
118 the Amendments to the Constitution and any regulations adopted by the secretary of energy and
119 environmental affairs; provided, that notwithstanding any general or special law to the contrary,
120 the title to any land acquired with the funds authorized in this item which is no longer used as

121 open space shall revert to the commonwealth to be managed as open

122 space.....\$30,000,000

123 2000-7056 For the conservation partnership grant program to assist not-for-profit corporations
124 and soil conservation districts defined in sections 19 through 24 of chapter 21 of the General
125 Laws in acquiring interests in lands suitable for purposes of conservation or recreation; provided,
126 that the corporation shall be formed for one of the purposes described in section 4 of chapter 180
127 of the General Laws and the corporation shall be considered an exempt organization within the
128 meaning of section 501(c)(3) of the Internal Revenue Code; provided further, that grant funds
129 shall be expended to reimburse an eligible corporation or soil conservation district for money
130 expended by it in establishing a project approved by the secretary of energy and environmental
131 affairs under this program in an amount that the secretary shall determine to be equitable in
132 consideration of anticipated benefits from the project, but in no event shall the amount of the
133 reimbursement exceed 50 per cent of the cost of the project; provided further, that no
134 reimbursement shall be made under this item to a corporation or soil conservation district unless
135 a project application is filed by the corporation with the secretary setting forth the plans and
136 information that the secretary may require and approved by the secretary, nor until the
137 corporation or soil conservation district shall have certified, in a manner approved by the
138 secretary, its ability to provide an amount equal to the total cost of the project, nor until the
139 project has been completed, to the satisfaction of the secretary, in accordance with the approved
140 plans; provided further, that all projects shall include the grant by the corporation or soil
141 conservation district of an appropriate perpetual conservation restriction, within the meaning of
142 sections 31 and 32 of chapter 184 of the General Laws, to the city or town in which the project is
143 located, to be managed by either its conservation or its recreation commission, or a federal or

144 state agency, or combination of these entities; provided further, that all projects shall provide
145 appropriate public access as determined by the secretary; and provided further, that the secretary
146 may adopt rules and regulations to carry out this

147 item.....\$2,000,000

148 2000-7058 For the landscape partnership grant program to assist not-for-profit corporations and
149 cities and towns acting through their conservation commissions or water departments, in
150 cooperation with the departments of conservation and recreation, fish and game and agricultural
151 resources, to acquire interests in land to permanently conserve and steward large, landscape-scale
152 land conservation projects and to assist cities and towns in local zoning and planning efforts to
153 further conservation and connectivity of working farms and forests and open space and prevent
154 low-density sprawl development; provided, that the not-for-profit corporation shall be formed for
155 one of the purposes described in section 4 of chapter 180 of the General Laws and the
156 corporation shall be considered an exempt organization within the meaning of section 501(c)(3)
157 of the Internal Revenue Code; provided further that the grants shall be expended in the
158 completion of an approved project by an eligible corporation, city or town in the approved
159 acquisition of land and interests in land for permanent conservation purposes under Article 97 of
160 the Amendments to the Constitution or sections 31 and 32 of Chapter 184 of the General Laws
161 and for associated costs including planning, study, due diligence, title, environmental site
162 assessment, appraisal services, interest on loans, provided the rate does not exceed the current
163 average market rate, and site restoration and for stewardship including baseline documentation
164 report creation and long-term stewardship monitoring agreements and for technical assistance in
165 the development of city and town bylaws for natural resource protection zoning purposes and
166 related city and town conservation purposes and for study, inventory and related work in

preparation for and assessment of marketable ecosystem services provided by the project lands;
provided further that grant funds shall be expended in the completion of an approved project by
an eligible corporation, city or town for a project previously approved by the secretary of energy
and environmental affairs under this program in an amount that the secretary shall determine to
be equitable in consideration of anticipated benefits from the cost of the project, but in no event
shall the amount exceed 50 per cent of the total cost of the project as approved by the secretary;
provided further, that all projects shall provide appropriate public access as determined by the
secretary; and provided further, that the secretary may adopt rules and regulations to carry out
this item\$15,000,000

Department of Agricultural Resources

2500-7024 For the agricultural environmental enhancement program on the abatement of all
forms of pollution generated from agricultural activities originally funded under section 8 of
chapter 258 of the acts of 1996; provided, that funds may be allocated by the commissioner of
agricultural resources through competitive grants awarded to public and non-public entities to
carry out the purposes of this item.....\$1,000,000

SECTION 2B.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Office of the Secretary

2000-7052 For the purpose of protecting the ecological integrity of the commonwealth's
privately held and managed forestlands under the forest vision plan, including, but not limited to,
acquisition of interests in land, research, planning, and monitoring; provided, that projects and

188 funding shall be approved by the secretary of environmental affairs; and provided further, that
189 projects may be carried out in cooperation with other governmental agencies, private land
190 owners, and conservation organizations according to management agreements approved by the
191 secretary.....\$5,000,000

192 2000-7057 For the acquisition, development and construction of parks in urban neighborhoods
193 currently underserved with parks consistent with attainment of environmental equity, including
194 planning related to these parks; completion of urban forestry and tree planting projects,
195 assessment and remediation of brownfield and greyfield sites intended for reuse as parks,
196 drafting of architectural renderings, construction documents, and other technical documents
197 necessary for parks construction, acquisition of land or interests in land for the creation of parks
198 under Article 97 of the Amendments to the Constitution and construction of parks and all related
199 facilities; provided, that the secretary of energy and environmental affairs may issue grants to
200 public and non-public entities to implement these programs
201\$37,000,000

202 2000-7055 For integrated energy and environmental projects to provide for appropriate
203 conservation, protection, restoration, management, and best use of air, energy, water and land
204 resources; to provide for the propagation, protection, control and management of fish, other
205 aquatic life, wildlife, and endangered species, to optimize and preserve environmental quality
206 and public health, to encourage environmental equity; to provide for the assessment, prevention
207 and abatement of water, land, air, noise, and other pollution or environmental degradation, to
208 provide for mitigation and adaptation to climate change, to provide geographic information
209 systems and data, including but not limited to conservation and development plans, provided
210 through the office of geographic and environmental information, to collect, store and provide

211 geographic, energy, and environmental and other information, to provide environmental, land
212 use, water budgets and other trends and conditions, provided, that the secretary may allocate
213 funds for the purposes of this item; and provided further, that grants may be awarded to public or
214 non-public entities to carry out this item.....\$15,000,000

215 2000-7051 For the development and support of local, regional, and state land use planning and
216 management capabilities in support of smart growth efforts, including but not limited to
217 convening the public to enhance awareness of and participation in planning, regulatory, and
218 permitting decisions; research; land use data acquisition and analysis; site specific brownfields,
219 feasibility, reuse and other assessments; plans for water, sewer, road, transit and other
220 infrastructure investments; site specific land use plans including construction documents and
221 architectural blueprints; the development of municipal open space and recreation plans,
222 municipal master plans under section 81D of chapter 41 of the General Laws, regional policy
223 plans under chapter 40B of the General Laws, and state plans for land conservation and
224 development; subdivision, zoning, and other local, regional, or state land use bylaws, ordinances,
225 policies, guidelines, and regulations; and for outreach, communications, education, and planning
226 to advance environmental equity, smart growth, and the MA Sustainable Development
227 Principles; provided, that the secretary of energy and environmental affairs may issue grants to
228 organizations including but not limited to municipalities, regional planning agencies, non-profit
229 organizations, and other public and non-public entities to implement said programs; and
230 provided further, that funds may be expended from this item for the costs of services rendered by
231 agency employees or by
232 consultants.....\$10,000,000

234 2200-7023 For the purposes of discovery, assessment, containment, clean-up, and closure of
235 existing or closed solid waste facilities causing or threatening to cause pollution as authorized by
236 section 4 of chapter 21H of the General Laws; funds authorized in this item may also be used for
237 capital expenditure associated with composting and recycling program consistent with the
238 statewide Solid Waste Master Plan authorized by section 21 of chapter 16 of the General
239 Laws.....\$1,000,000

240 2200-7025 For the assessment, containment, cleanup, control, removal of or response actions
241 concerning oil or hazardous materials or for any other actions necessary to implement chapter
242 21E of the General Laws, or the regulations adopted under it, the Massachusetts contingency
243 plan.....\$3,000,000

244 *Department of Fish and Game*

245 2300-7020 For the acquisition of land and interests in land by the department of fish and game
246 and for associated costs, including planning, study, due diligence, title and appraisal services, site
247 restoration and stewardship for the purpose of protecting the native flora and fauna communities
248 and for associated costs; provided, that the commissioner of fish and game may develop and
249 utilize scientifically-based evaluation criteria to identify and select the most biologically
250 significant areas throughout the commonwealth including, but not limited to, specific parcels,
251 and that these lands may be purchased after being selected by this process and approved by the
252 commissioner of fish and game; provided further, that funds may be expended on the
253 development and implementation of a stewardship program on lands under the care and control
254 of the department of fish and game and its divisions, either in fee simple or through conservation
255 easement or conservation restrictions, including but not limited to resource and land use

256 monitoring, baseline documentation report creation, signage, boundary marking and monitoring,
257 stewardship planning, stewardship personnel, stewardship database development, ecological
258 monitoring, and enforcement of conservation easements or conservation restrictions or detection
259 and resolution of encroachments on land owned in fee simple, and repair of damage related to
260 illegal off-road vehicle trespass; and provided further, that funds may be used for inventory,
261 restoration and reclamation of recently acquired land, including demolition of structures,
262 removal of debris, eradication of non-native species, and other services essential to these
263 reclamation efforts

264
265 \$15,000,000

266 2300-7023 For the purposes of conserving and recovering rare and endangered plant and animal
267 species listed under chapter 131A of the General Laws and protecting other elements of the
268 state's threatened natural heritage, through conservation, preparation of endangered species
269 recovery plans, implementation of recovery and rehabilitation projects, and the execution of
270 habitat and ecological restoration and management, as identified by the division of fisheries and
271 wildlife's natural heritage and endangered species program and approved by the director of the
272 division and the commissioner of the department; provided, that the associated costs may
273 include, but shall not be limited to, species recovery, and rehabilitation projects, habitat
274 restoration and management, monitoring services and equipment purchases; and provided
275 further, that this work may be carried out in cooperation with local municipalities, private
276 conservation organizations, private landowners, universities or governmental agencies
277\$1,000,000

278 2300-7024 For a program of upland habitat management of forestlands, shrub lands, and
279 grasslands, to provide habitat for native wildlife species experiencing long-term population
280 declines, to control invasive, exotic species that degrade natural habitats, and to maintain
281 independent, third party certification of sustainable resource management on state wildlife lands
282 through the forest stewardship council or the sustainable forestry initiative; provided, that
283 activities shall include, but shall not be limited to, implementation of habitat management plans
284 as established by the division of fisheries and wildlife and approved by the director of the
285 division and the commissioner of the department; and to establish and support an integrated,
286 early detection and rapid response system for invasive species and to complete a strategic
287 management plan for invasive species to prevent, control, eradicate and restore natural
288 management areas; and for a landowner incentive grant program to restore declining species and
289 their habitats identified in the Comprehensive Wildlife Conservation Strategy on private lands
290 that may include, but shall not be limited to, technical and financial assistance, implementation
291 and monitoring as established by the division of fisheries and wildlife and approved by the
292 director of the division and the commissioner of the department, and for associated costs;
293 provided, that the associated costs may include, but shall not be limited to, restoration,
294 management, monitoring services, and equipment purchases; provided further, that the projects
295 may be carried out in cooperation with cities, towns, not-for-profit organizations, private
296 landowners, conservation organizations, sportsmen's clubs or governmental agencies; provided
297 further, that grants may be awarded to public and non-public entities to carry out the purposes of
298 this item; and provided further, that the department may award grants to public and non-public
299 entities to carry out the purposes of this item
300\$1,000,000

301 2300-7025 For river and wetland restoration programs in the division of ecological restoration,
302 riverways program and the commissioner's office within the department of fish and game;
303 provided, that funds authorized in this item may be utilized for river, wetland, and river corridor
304 revitalization, ecological restoration and protection of aquatic ecosystems and functions
305 statewide, including but not limited to dam and barrier removal, instream improvements, flow,
306 water quality, riverine habitat, for protection of high quality riparian and wetland habitat, to
307 mitigate threats from climate change, and improve recreational opportunities; provided further,
308 that these costs may include, but shall not be limited to, equipment to implement these programs;
309 and provided further, that the commissioner or his designee may enter into cooperative
310 agreements with state and federal government agencies and municipalities, may contract for
311 services including, but not limited to, engineering, and may award grants to public and non-
312 public entities to foster and carry out the purposes of this
313 item.....\$20,000,000

314 2300-7026 For the planning, engineering, design, construction, construction inspection,
315 acquisition, development, and reconstruction of existing and new coastal and inland access sites
316 including, but not limited to, boat launching facilities, fisherman boat access facilities, car-top
317 boat launching facilities, canoe and kayak access facilities, sport fishing piers and shore fishing
318 areas including, but not limited to, ramps, docks, floats and appurtenant facilities throughout the
319 commonwealth including, but not limited to, construction of signage and informational kiosks,
320 and the implementation of coastal projects developed jointly with the Marine Recreational
321 Fisheries Development Fund.....\$3,000,000

322 *Department of Agricultural Resources*

323 2500-7023 For the purpose of developing and implementing programs designed to address
324 agricultural economic and environmental sustainability, research, industry promotion,
325 technology transfer, education and to facilitate improvements to agricultural infrastructure,
326 energy conservation and efficiency, as well as renewable energy projects, including the
327 development and implementation of farm viability plans and other technical and engineering
328 assistance to enhance the economic and environmental viability of farms, to promote urban
329 agriculture, to provide for shorter term land covenants, and for undertaking of markets for
330 agricultural products to assist in agricultural business enhancement and transition, the creation of
331 a program, including grants to public and non-public entities for the development and
332 implementation of new procedures for energy conservation and efficiency, renewable and
333 alternative energy sources to assist the commonwealth's agricultural community to grow and
334 develop; provided further, that there be established a program to assist in the preservation and
335 rehabilitation of facilities and land resources of agricultural fairs in the commonwealth through
336 preservation covenants, grants, demonstration projects and other means, under section 38C of
337 chapter 128 of the General Laws; provided further, that funds authorized in this item may be
338 allocated by the commissioner through competitive grants; and provided further, that the
339 commissioner may adopt regulations relative to these
340 grants.....\$3,000,000

341 *Department of Conservation and Recreation.*

342 2840-7024 For the design, construction, reconstruction, removal, improvement or rehabilitation
343 of department reservations, forests, parks, harbor islands, skating rinks, swimming pools, golf
344 courses, tennis courts, basketball courts, playgrounds, other recreational facilities, beaches and
345 related facilities, storage buildings, office buildings and other parks buildings and equipment and

346 for the planning, design, construction, repair, reconstruction, rehabilitation, or improvement of
347 department bike paths, greenways, recreational trails, and related facilities and
348 equipment.....\$31,000,000

349 SECTION 2C.

350 EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

351 *Department of Conservation and Recreation*

352 2890-7020 For the design, construction, reconstruction, repair, improvement, or rehabilitation
353 of department of conservation and recreation parkways, boulevards, multi-use trails, internal
354 state park roads, pedestrian bridges and related appurtenances and equipment including, but not
355 limited to, the costs of engineering and other services for those projects rendered by department
356 of conservation and recreation employees or by consultants; provided, that funds may be
357 expended for pedestrian and bicycle safety, traffic calming, landscape improvements, street
358 lighting, and safety equipment; provided further, that all work funded by this item shall be
359 carried out according to standards developed by the department of conservation and recreation
360 pursuant to historic parkways preservation treatment guidelines to protect the scenic and historic
361 integrity of the bridges and parkways under its control
362\$46,000,000

363 SECTION 2D.

364 EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

365 *Division of Energy Resources*

366 9300-7031 For the Leading by Example Program, to reduce greenhouse gas emissions and
367 other environmental impacts at state agencies, authorities, and public colleges and universities; to
368 stimulate increased public and private sector investment in clean energy and related enterprises,
369 institutions, and projects in the commonwealth, including providing economic assistance for the
370 development of these enterprises and non-financial assistance; provided, that costs payable from
371 this item shall include, but not be limited to, the costs of engineering and other services essential
372 to these projects rendered by department of environmental protection and maintenance
373 employees or by consultants; provided further, that for projects which the secretary of
374 administration and finance certifies to the comptroller directly or indirectly generate new state
375 revenue or budgetary savings, the comptroller shall transfer those budgetary savings or revenue
376 to the state treasurer for payment of debt service related to those projects; and provided further,
377 that amounts expended for division employees may include the salary and salary-related
378 expenses of these employees to the extent that they work on or in support of these
379 projects.....\$5,000,000

380 9300-7918 For the energy conservation improvement program under section 11 of chapter 25A
381 of the General Laws; provided, that costs payable from this item shall include, but not be limited
382 to, the costs of engineering and other services essential to these projects rendered by department
383 of environmental protection and maintenance employees or by consultants; provided further, that
384 funds in this item shall be allocated from time to time by the commissioner of energy resources
385 for the purposes of the energy audit program, the energy conservation improvement program,
386 and the alternative energy property program, and for other programs that increase energy
387 efficiency and the deployment of renewable resources at public facilities; provided further, that
388 when expending these funds, the commissioner shall take into consideration, among other

389 relevant factors, the amount of available state and federal financial resources, the needs of each
390 program with respect to public buildings and facilities, the volume of requests or expected
391 requests from other entities for assistance under each program, the expected costs and public
392 benefits of each program and, after information has become available from the energy audit
393 program, the priorities and needs indicated by that information; provided further, that funds shall
394 be expended on the buildings and facilities owned by public entities; provided further, that for
395 projects which the secretary of administration and finance certifies to the comptroller directly or
396 indirectly generate new state revenue or budgetary savings, the comptroller shall transfer those
397 budgetary savings or revenue to the state treasurer for payment of debt service related to those
398 projects; and provided further, that grants may be issued for the purposes of this
399 item..... \$10,000,000

400 SECTION 2E.

401 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

402 *Division of Capital Asset Management and Maintenance*

403 1102-2015 For the accelerated energy program to improve the energy efficiency of state-owned
404 facilities which includes costs associated with planning and studies, prepayment of lease for a
405 term that exceeds the useful life of the facility, gifts, or other transfers, or by eminent domain
406 under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs,
407 construction, renovations, improvements, asset management and demolition, disposition and
408 remediation of state-owned and former county facilities and grounds and repair and maintenance
409 of buildings and building systems and equipment at various facilities of the commonwealth;
410 provided, that all maintenance and repair work funded in this item shall be listed in the capital

411 asset management information system administered by the division of capital asset management
412 and maintenance; provided further, that, where appropriate, the commissioner of capital asset
413 management and maintenance may transfer funds in accordance with the delegation of project
414 control and supervision process under section 40B of chapter 7 of the General Laws; provided
415 further, that costs payable from this item shall include, but not be limited to, the costs of
416 engineering and other services essential to these projects rendered by division of capital asset
417 management and maintenance employees or by consultants; and provided further, that amounts
418 expended for division employees may include the salary and salary-related expenses of these
419 employees to the extent that they work on or in support of these
420 projects.....\$62,000,000

421 SECTION 2F.

422 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

423 *Division of Capital Asset Management and Maintenance*

424 1102-2016 For the accelerated energy program to improve the energy efficiency of state-owned
425 facilities which includes costs associated with planning and studies, prepayment of lease for a
426 term that exceeds the useful life of the facility, gifts, or other transfers, or by eminent domain
427 under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs,
428 construction, renovations, improvements, asset management and demolition, disposition and
429 remediation of state-owned and former county facilities and grounds and repair and maintenance
430 of buildings and building systems and equipment at various facilities of the commonwealth;
431 provided, that all maintenance and repair work funded in this item shall be listed in the capital
432 asset management information system administered by the division of capital asset management

and maintenance; provided further, that, where appropriate, the commissioner of capital asset management and maintenance may transfer funds in accordance with the delegation of project control and supervision process under section 40B of chapter 7 of the General Laws; provided further, that for projects which the secretary of administration and finance certifies to the comptroller directly or indirectly generate new state revenue or budgetary savings, the comptroller shall transfer those budgetary savings or revenue to the state treasurer for payment of debt service related to those projects; provided further, that costs payable from this item shall include, but not be limited to, the costs of engineering and other services essential to these projects rendered by division of capital asset management and maintenance employees or by consultants; and provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects.....\$250,000,000

SECTION 2G.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS

Office of the Secretary

2000-7026 For the design, construction, reconstruction, rehabilitation or removal of coastal infrastructure, including but not limited to seawalls, jetties, revetments, and retaining walls; provided, that costs payable from this item may include, but not be limited to, the costs of engineering and other technical assistance services essential to these projects rendered by the office of coastal zone management within the executive office of energy and environmental affairs and the office of waterways within the department of conservation and recreation and

455 maintenance employees or by consultants; provided further, that loans may be made to local
456 government units to carry out this item; and provided further, that grants may be awarded to
457 public entities to carry out this item.....\$120,000,000

458 SECTION 3. To meet the expenditures necessary in carrying out section 2, the state treasurer
459 shall, upon request of the governor, issue and sell bonds of the commonwealth, in an amount to
460 be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of
461 \$83,500,000. All bonds issued by the commonwealth under this section shall be designated on
462 their face, Preservation and Improvement of Environmental Assets Loan Act of 2013, and shall
463 be issued for a maximum terms of years, not exceeding 30 years, that the governor may
464 recommend to the general court under section 3 of Article LXII of the Amendments to the
465 Constitution. All these bonds shall be payable not later than June 30, 2048. All interest and
466 payments on account of principal of these obligations shall be payable from the General Fund
467 unless otherwise specified. Bonds and interest on bonds issued under this section,
468 notwithstanding any other provision of this act, shall be general obligations of the
469 commonwealth.

470 SECTION 4. To meet the expenditures necessary in carrying out section 2A, the state treasurer
471 shall, upon request of the governor, issue and sell bonds of the commonwealth, in an amount to
472 be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of
473 \$190,000,000. All bonds issued by the commonwealth under this section shall be designated on
474 their face, Preservation and Improvement of Environmental Assets Loan Act of 2013, and shall
475 be issued for a maximum terms of years, not exceeding 30 years, that the governor may
476 recommend to the general court under section 3 of Article LXII of the Amendments to the
477 Constitution. All these bonds shall be payable not later than June 30, 2048. All interest and

478 payments on account of principal of these obligations shall be payable from the General Fund
479 unless otherwise specified. Bonds and interest on bonds issued under the authority of this
480 section, notwithstanding any other provision of this act, shall be general obligations of the
481 commonwealth.

482 SECTION 5. To meet the expenditures necessary in carrying out section 2B, the state treasurer
483 shall, upon request of the governor, issue and sell bonds of the commonwealth, in an amount to
484 be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of
485 \$145,000,000. All bonds issued by the commonwealth under this section shall be designated on
486 their face, Preservation and Improvement of Environmental Assets Loan Act of 2013, and shall
487 be issued for a maximum terms of years, not exceeding 30 years, that the governor may
488 recommend to the general court under section 3 of Article LXII of the Amendments to the
489 Constitution. All these bonds shall be payable not later than June 30, 2048. All interest and
490 payments on account of principal of these obligations shall be payable from the General Fund
491 unless otherwise specified. Bonds and interest on bonds issued under this section,
492 notwithstanding any other provision of this act, shall be general obligations of the
493 commonwealth.

494 SECTION 6. To meet the expenditures necessary in carrying out section 2C, the state treasurer
495 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to
496 be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of
497 \$46,000,000. All bonds issued by the commonwealth under this section shall be designated on
498 their face, Environmental Transportation Assets Loan Act of 2013 and shall be issued for a
499 maximum term of years, not to exceed 30 years, which the governor may recommend to the
500 general court under section 3 of Article LXII of the Amendments to the Constitution. All these

bonds shall be payable not later than June 30, 2048. All interest and payments on account of principal of these obligations shall be payable from the General Fund unless otherwise specified. Bonds and interest on bonds issued under this section, notwithstanding any other provision of this act, shall be general obligations of the commonwealth.

SECTION 7. To meet the expenditures necessary in carrying out section 2D, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth, in an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of \$15,000,000. All bonds issued by the commonwealth under this section shall be designated on their face, Preservation and Improvement of Environmental Assets Loan Act of 2013, and shall be issued for a maximum terms of years, not exceeding 30 years, that the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All these bonds shall be payable not later than June 30, 2048. All interest and payments on account of principal of these obligations shall be payable from the General Fund unless otherwise specified. Bonds and interest on bonds issued under this section, notwithstanding any other provision of this act, shall be general obligations of the commonwealth.

SECTION 8. To meet the expenditures necessary in carrying out section 2E, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$62,000,000. All such bonds issued by the commonwealth shall be designated on their face, Accelerated Energy Program Improvement Act of 2013, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than

June 30, 2048. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest on bonds issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 9. To meet the expenditures necessary in carrying out section 2F, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$250,000,000. All such bonds issued by the commonwealth shall be designated on their face, Accelerated Energy Program Improvement Act of 2013, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2048. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions.

SECTION 10. To meet the expenditures necessary in carrying out section 2G, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth, in an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of \$120,000,000. All bonds issued by the commonwealth under this section shall be designated on their face, Coastal Infrastructure Investment Loan Act of 2013, and shall be issued for a maximum terms of years, not exceeding 30 years, that the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All these bonds shall be payable not later than June 30, 2048. All interest and payments on account of principal of these obligations shall be payable from the General Fund unless otherwise specified.

Bonds and interest on bonds issued under this section, notwithstanding any other provision of this act, shall be general obligations of the commonwealth.

SECTION 11. The secretary of administration and finance shall submit a report on the progress of any projects funded through the authorizations in this act and included in the governor's 5 year capital investment to the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means, and the senate and house chairs of the joint committee on bonding, capital expenditures and state assets. The report shall include, but not be limited to, the previous year planned spending, previous year spending, current year planned spending, current year spending to date, original estimated total project cost, project description, location of the project, type of spending, type of asset and useful life of the project once completed. The report shall be submitted on June 30 and December 31 of each year for a period of 8 years after the effective date of this act.

SECTION 12. To provide for the continued availability of certain bond-funded spending authorizations which otherwise would expire, the balances of the following appropriation items and any allocations thereof are hereby extended through June 30, 2017, for the purposes of and subject to the conditions stated for these items in the original authorizations and any amendments to such authorizations: 1100-2500, 1102-6000, 1102-7000, 2000-2011, 2000-2012, 2000-2017, 2000-2019, 2000-2021, 2000-2035, 2000-7013, 2000-7014, 2000-7015, 2000-7016, 2000-7018, 2000-7022, 2000-7023, 2000-7024, 2000-7025, 2200-2011, 2200-2015, 2200-2017, 2200-7011, 2200-7012, 2200-7013, 2200-7014, 2200-7015, 2200-7017, 2200-8969, 2300-2014, 2300-2016, 2300-2017, 2300-7010, 2300-7011, 2300-7013, 2300-7014, 2300-7015, 2300-7016, 2300-7017, 2300-7018, 2500-7012, 2500-7013, 2500-7014, 2800-7011, 2800-7012, 2800-7013, 2800-7015, 2800-7016, 2800-7017, 2800-7018, 2800-7019, 2800-7022, 2800-7097, 2800-7098, 2840-7014,

569 2840-7017, 2890-7010, 2890-7011, 6121-0800, 6121-0816, 6121-0817, 6121-0847, 8000-9012,
570 9300-7010, 9300-7909.

571 SECTION 13. Each agency acquiring land or an interest in land under section 2, 2A, 2B, 2C, 2D
572 and 2G may expend an amount not to exceed 5 per cent of the amount appropriated to that
573 agency in section 2, 2A, 2B, 2C, 2D and 2G for the purpose of reimbursing nonprofit land
574 conservation organizations or land trusts for reasonable expenses directly associated with the
575 acquisition of land or interests in land subsequently conveyed to the commonwealth.
576 Reimbursements shall be made at the discretion of the agency. The secretary of energy and
577 environmental affairs shall determine by regulation what shall constitute reasonable expenses. If
578 the commonwealth does not take title to the property through no fault of the nonprofit
579 organization or the commonwealth, the commonwealth may reimburse the nonprofit
580 organization for reasonable expenses associated with due diligence. An organization receiving a
581 reimbursement under this section shall convey the land or interest in land to the agency for an
582 amount not to exceed the actual purchase price paid by the organization for the land or interest in
583 land in addition to any reimbursement received under this section.

584 SECTION 14. No amounts authorized in section 2, 2A, 2B, 2C, 2D and 2G shall be used by a
585 recipient municipality for the supplementing or supplanting of normal operating expenses of any
586 function of the municipality.

587 SECTION 15. Notwithstanding any general or special law to the contrary, funds may be
588 expended for services rendered by agency employees or by consultants necessary to support
589 projects authorized in section 2, 2A, 2B, 2C, 2D and 2G.

SECTION 16. Notwithstanding any general or special law to the contrary, upon acquiring any fee interest in land for purposes within Article XCVII of the Amendments to the Constitution, all state agencies, commissions and boards expending or receiving state funds under this act shall obtain the approval of the secretary of energy and environmental affairs before implementing or endorsing any prohibition of fishing, hunting or trapping on that land and shall provide the secretary with written justification of the prohibition.

SECTION 17. Notwithstanding section 30 of chapter 29 of the General Laws or section 65 of chapter 30 of the General Laws, a portion of the funds authorized in section 2, 2A, 2B, 2C, 2D and 2G may be used for the costs associated with the purchase of title insurance and services for title examinations, reports and certifications.

SECTION 18. All expenditures from items in section 2, 2A, 2B, 2C, 2D and 2G authorized as grants to non-public entities shall be expended for public purposes and shall comply with Article 103 of the Amendments to the Constitution and 815 CMR 2.00.

SECTION 19. Item 2000-7013 of section 2A of said chapter 312 of the acts of 2008 is hereby amended by inserting after the words "section 11; provided" the following words:-

that any land protected with funds authorized in this item be open to the general public for appropriate passive recreation; provided further,

SECTION 20. Item 2000-7014 of said section 2A of said chapter 312 is hereby amended by striking out the word "park" , in the first place it occurs, and inserting in place thereof the following word:- parkland

SECTION 21. Item 2000-7016 of said section 2A of said chapter 312 is hereby amended by striking out the words “For the conservation partnership grant program to assist not-for-profit corporations in acquiring interests in lands suitable for purposes of conservation or recreation; provided, that the corporation shall be formed for one of the purposes described in section 4 of chapter 180 of the General Laws and the corporation shall be considered an exempt organization within the meaning of section 501(c)(3) of the Internal Revenue Code; provided further, that grant funds shall be expended to reimburse an eligible corporation for money expended by it in establishing a project approved by the secretary of energy and environmental affairs under this program in an amount that the secretary shall determine to be equitable in consideration of anticipated benefits from the project, but in no event shall the amount of the reimbursement exceed 50 per cent of the cost of the project; provided further, that no reimbursement shall be made under this item to a corporation unless a project application is filed by the corporation with the secretary setting forth the plans and information that the secretary may require and approved by the secretary, nor until the corporation shall have certified, in a manner approved by the secretary, its ability to provide an amount equal to the total cost of the project, nor until the project has been completed, to the satisfaction of the secretary, in accordance with the approved plans; provided further, that all projects shall include the grant by the corporation of an appropriate perpetual conservation restriction, within the meaning of sections 31 and 32 of chapter 184 of the General Laws, to the city or town in which the project is located, to be managed by either its conservation or its recreation commission, or a state agency, or both;” and inserting in place thereof the following words:-

For the conservation partnership grant program to assist not-for-profit corporations and soil conservation districts defined in sections 19 through 24 of chapter 21 of the General Laws in

acquiring interests in lands suitable for purposes of conservation or recreation; provided, that the corporation shall be formed for one of the purposes described in section 4 of chapter 180 of the General Laws and the corporation shall be considered an exempt organization within the meaning of section 501(c)(3) of the Internal Revenue Code; provided further, that grant funds shall be expended to reimburse an eligible corporation or soil conservation district for money expended by it in establishing a project approved by the secretary of energy and environmental affairs under this program in an amount that the secretary shall determine to be equitable in consideration of anticipated benefits from the project, but in no event shall the amount of the reimbursement exceed 50 per cent of the cost of the project; provided further, that no reimbursement shall be made under this item to a corporation or soil conservation district unless a project application is filed by the corporation with the secretary setting forth the plans and information that the secretary may require and approved by the secretary, nor until the corporation or soil conservation district shall have certified, in a manner approved by the secretary, its ability to provide an amount equal to the total cost of the project, nor until the project has been completed, to the satisfaction of the secretary, in accordance with the approved plans; provided further, that all projects shall include the grant by the corporation or soil conservation district of an appropriate perpetual conservation restriction, within the meaning of sections 31 and 32 of chapter 184 of the General Laws, to the city or town in which the project is located, to be managed by either its conservation or its recreation commission, or a federal or state agency, or combination thereof;

SECTION 22. Item 2200-7011 of said section 2A of said chapter 312 is hereby amended by striking out the words "For the purposes of water quality monitoring, assessment and protection as required to meet the legislative and regulatory requirements of the Rivers Protection Act, the

656 federal and state Clean Water Acts and the Massachusetts Wetlands Protection Act and to
657 provide for integrated energy and environmental projects to optimize and preserve environmental
658 quality and public health and provide for appropriate protection, restoration, management, and
659 best use of air, energy, water and land resources; provided, that this funding, may include, but
660 not be limited to, studies of water quality, the development of wetlands conservancy and
661 tidelands Geographic Information System (GIS) maps, the implementation of water quality
662 monitoring devices, the collection and analysis of water quality samples, the development of
663 water quality analyses known as Total Maximum Daily Loads (TMDL's), and projects related to
664 non-point and point sources of water pollution, and the wetlands circuit rider program; otherwise
665 referred to as Area 10 in the town's CWRMP ” and inserting in place thereof the following
666 words:-

667 For investment in water and air quality protection as required to meet the legislative and
668 regulatory requirements of the Rivers Protection Act, the federal and state Clean Water Acts and
669 the Massachusetts Wetlands Protection Act and to provide for integrated energy and
670 environmental projects to optimize and preserve environmental quality and public health and
671 provide for appropriate protection, restoration, management, and best use of air, energy, water
672 and land resources, assets and infrastructure; provided, that this funding, may include, but not be
673 limited to, research and the collection of data to support investment in environmental assets, such
674 research and studies to include but not be limited to studies of water quality, the development of
675 wetlands conservancy and tidelands Geographic Information System (GIS) maps, the
676 implementation of water quality monitoring initiatives, the collection and analysis of water
677 quality samples, and the development of water quality analyses known as Total Maximum Daily
678 Loads (TMDL's); projects related to non-point and point sources of water pollution; and, the

679 wetlands circuit rider program; provided further, that funds may be expended for local grants and
680 research for implementation of the commonwealth's Sustainable Water Management Initiative,
681 such grants and research to provide the data necessary for municipalities to invest in efficient and
682 effective mitigation practices to restore and preserve the commonwealth's water resources, assets
683 and infrastructure; provided further, that funds authorized in this item may be used for the
684 purposes of the department's statewide air monitoring network which may include, but not
685 limited to, photochemical assessment monitoring stations, small particulate monitoring and air
686 toxins monitoring; and provided further, that funds authorized in this line may include the
687 upgrade of equipment to comply with federal requirements.

688 SECTION 23. Item 2200-7017 of said section 2A of said chapter 312 is hereby amended by
689 striking out the words "department of environmental protection to be of potential use for water
690 supply purposes; provided, that any grants approved by the department" and inserting in place
691 thereof the following words:-

692 executive office of energy and environmental affairs to be of potential use for water supply
693 purposes; provided, that any land protected with funds authorized in this item be made open to
694 the general public for passive public recreation where appropriate; and provided further, that any
695 grants approved.

696 SECTION 24. Item 2300-7010 of said section 2A of said Chapter 312 is hereby amended by
697 striking out the words "fisheries and wildlife" and inserting in place thereof the following
698 words:- fish and game.

699 SECTION 25. Said item 2300-7010 of said section 2A of said chapter 312 is hereby further
700 amended by inserting after the word “conservation easement” the following words:- or
701 conservation restrictions.

702 SECTION 26. Said item 2300-7010 of said section 2A of said chapter 312 is hereby further
703 amended by inserting after the words “of conservation restrictions” the following words:- or
704 conservation easements.

705 SECTION 27. Item 2300-7011 of said section 2A of said chapter 312 is hereby amended by
706 inserting after the words “education centers,” the following words:- dams.

707 SECTION 28. Item 2300-7013 of said section 2A of said chapter 312 is hereby amended by
708 inserting after the words “implementation of recovery” the following words:- and rehabilitation.

709 SECTION 29. Said item 2300-7013 of said section 2A of said chapter 312 is hereby amended by
710 inserting after the words “species recovery” the following words:- and rehabilitation projects.

711 SECTION 30. Item 2300-7014 of said section 2A of said chapter 312 is hereby amended by
712 striking out the words “the commissioner shall identify at all scales the natural and cultural
713 resources at risk from invasive species and conduct baseline assessments of invasive species at
714 those sites and to educate the public to help prevent and control invasive species”.

715 SECTION 31. Item 2300-7017 of section 2A of said chapter 312 is amended by inserting after
716 the words “and management studies;” the following words:-

717 provided further, that funds may be expended from this item for a cooperative research program
718 between the department of fish and game and the division of fisheries and wildlife, University of
719 Massachusetts cooperative research unit, and United States Geological Survey to study the status

of the aquatic biological diversity in the flowing and impounded water of the commonwealth and the impacts of anthropogenic factors on aquatic resources and develop and implement capital mitigation projects for impacts to aquatic species and other factors; provided further, that research shall include, but not be limited to, the impacts of water withdrawal, impervious cover, and water impoundments;

SECTION 32. Item 2500-7013 of said section 2A of said chapter 312 is hereby amended by inserting after the words “of farms” the following words:- to promote urban agriculture.

SECTION 33. Chapter 29 of the General Laws is hereby amended by striking out section 2III, as inserted by section 3 of chapter 448 of the acts of 2012, inserting in place thereof the following 2 sections:

Section 2III. (a) There shall be established and set upon the books of the commonwealth a separate fund to be known as the Dam Repair or Removal Fund into which shall be deposited amounts credited or transferred to the fund by the general court or any other source including, without limitation, federal grants; loan repayments; investment earnings on monies in the fund; and any other amounts required to be credited to the fund by operation of law, resolution or agreement entered into by the department of conservation and recreation. The fund shall be administered by the secretary of energy and environmental affairs. Monies deposited into the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

(b) Amounts credited to the fund shall be used, without further appropriation, for the costs associated with the operations of the office of dam safety within the department of conservation and recreation, but such expenditures shall be solely for the purposes stated in this section and no

funds shall be transferred from the trust to any other fund, and to provide grants or loans to local governmental bodies, charitable organizations and private dam owners to finance or refinance costs of inspection, repair and removal projects including, but not limited to, projects related to dams. The amount expended from this fund during any fiscal year for the costs of employees shall not exceed 5 percent of the funds expended from the fund in that fiscal year.

(c) On or before September 1 of each year, a local governmental body, charitable organization or private dam owner may apply to the secretary of energy and environmental affairs for assistance in financing the cost of an eligible infrastructure project. The secretary shall promulgate rules and regulations for the administration and implementation of this section including, but not limited to, a priority system for the approval of projects. Priority shall be given to projects that (i) are owned or operated by agencies of the commonwealth, cities, towns and tax-exempt charitable organizations; and (ii) have been classified by the department of conservation and recreation as high hazard or significant hazard dams.

Section 2JJJJ. (a) There shall be established and set upon the books of the commonwealth a separate fund to be known as the Climate Change Adaptation Infrastructure Investment Fund into which shall be deposited amounts credited or transferred to the fund by the general court or any other source including, without limitation, federal grants, loan repayments, investment earnings on monies in the fund, and any other amounts required to be credited to the fund by operation of law, resolution or agreement entered into by the department of conservation and recreation or office of coastal zone management. The fund shall be administered by the secretary of energy and environmental affairs. Monies deposited into the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

765 (b) Amounts credited to the fund may be used, without further appropriation, for the costs
766 associated with the operations of the office of waterways and the office of dam safety within the
767 department of conservation and recreation, the department of environmental protection and by
768 the office of coastal zone management within the executive office of energy and environmental
769 affairs for the costs associated with operations, but such expenditures shall be solely for the
770 purposes stated in this section and no funds shall be transferred from the trust to any other fund,
771 and to provide grants or loans to agencies of the commonwealth, local governmental bodies to
772 finance or refinance costs of inspection, repair and removal projects including, but not limited to,
773 projects related to seawalls, jetties, revetments, retaining walls, and inland flood control. The
774 amount expended from this item during any fiscal year for the costs of employees shall not
775 exceed 5 percent of the funds expended from the fund in that fiscal year.

776 (c) On or before September 1 of each year, a local governmental body or public flood control
777 infrastructure owner may apply to the secretary of energy and environmental affairs for
778 assistance in financing the cost of an eligible infrastructure project. Priority shall be given to
779 projects that are owned or operated by agencies of the commonwealth, cities, and towns.